

1 Lukas J. Clary, State Bar No. 215519
lclary@weintraub.com
2 Ryan E. Abernethy, State Bar No. 267538
rabernethy@weintraub.com
3 **weintraub tobin** chediak coleman grodin
LAW CORPORATION
4 400 Capitol Mall, 11th Floor
Sacramento, CA 95814
5 Telephone: 916/558.6000
Facsimile: 916/446.1611

6 Attorneys for Defendants
7 Galindo Construction Company, Inc.;
Lisa M. Galindo and Don Ron Galindo
8
9

10 UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO-OAKLAND DIVISION
12

13 UNITED STATES ex rel. MATTHEW) Case No. 4:17-CV-02277-KAW
14 ZUGSBERGER AND MATTHEW)
15 Plaintiffs,) [Hon. Kandis A. Westmore]
16 v.)
17 T.L. PETERSON, INC., a California)
corporation, *in personam*; GALINDO)
CONSTRUCTION COMPANY, INC., a)
California corporation, *in personam*; LISA M.)
GALINDO, an individual, *in personam*; DON) Jury Trial Requested
18 RON GALINDO, an individual, *in personam*;)
DOES 1-10, inclusive,)
19 Defendants.) **Complaint Filed: 9/11/17**
20
21
22

23 Pursuant to Rules 6-1, 6-2, and 7-12 of the United States District Court for the Northern
24 District of California, Plaintiff and Relator Matthew Zugsberger (“Plaintiff”), Defendants Galindo
25 Construction Company, Inc., Lisa M. Galindo and Don Ron Galindo (“Galindo Defendants”) and
26 Defendant T.L. Peterson (“Peterson”) (collectively, “the Parties”) hereby stipulate, agree, and
27 request that the Case Management Conference currently set for April 3, 2018 at 1:30 p.m. be moved
28 to May 1, 2018 at 1:30 p.m. or such subsequent time as the Court deems appropriate. The Parties

1 further stipulate and request that the case schedule set forth the Court's Order Setting Initial Case
2 Management Conference and ADR Deadlines (Docket No. 13) be modified as follows:

- 3 1) Deadlines currently set for March 13, 2018 pursuant to Federal Rule of Civil Procedure
4 26(f), ADR Local Rule 3-5, and Civil Local Rule 16-8 be moved to April 24, 2018; and
- 5 2) Deadlines currently set for March 27, 2018 pursuant to Federal Rule of Civil Procedure
6 26(a) and Civil Local Rule 16-9 be moved to April 24, 2018.

7 There is good cause for this stipulation and request. The current Case Management
8 Conference was set for April 3, 2018 based on Plaintiff's First Amended Complaint being filed on
9 January 3, 2018. On March 9, 2018, following the Parties' stipulation (Docket No. 30) and the
10 Court's Order upon that stipulation (Docket No. 32), Plaintiff filed a Second Amended Complaint
11 (Docket No. 33). The Second Amended Complaint contains 13 new claims and several new
12 allegations that were not present in the First Amended Complaint. At present, none of the
13 Defendants have responded to the Second Amended Complaint and Defendant TL Peterson has not
14 yet appeared in this action. A brief continuance of the Case Management Conference and
15 corresponding deadlines set forth above will allow Defendants sufficient time to evaluate and
16 respond to the new claims and allegations, and will allow the Parties to more meaningfully comply
17 with their obligations under Rule 26 and the applicable Local Rules.

18 There have been no previous modifications pursuant to stipulation in this case. There has
19 been one previous modification to the Case Management Conference and Case Schedule pursuant to
20 Court order. Specifically, the Court's Order Setting Initial Case Management Conference and ADR
21 Deadlines (Docket No. 13) modified the dates set forth in the original April 24, 2017 Order Setting
22 Initial Case Management Conference and ADR Deadlines that corresponded to Plaintiff's original
23 complaint.

24 Other than the modifications set forth herein, granting this stipulation and request will have
25 no significant impact on the schedule for this case as the case is not yet at issue and no trial date has
26 been scheduled.

27 ///

28 ///

1 Dated: March 13, 2018

ANDERSON CAREY WILLIAMS & NEIDZWSKI, PLLC

3 By: s/ Nicholas J. Neidzwski
4 Nicholas J. Neidzwski
Attorneys for Plaintiff

6 Dated: March 13, 2018

weintraub tobin chediak coleman grodin
7 LAW CORPORATION

8 By: s/ Lukas J. Clary
9 Lukas J. Clary
10 Ryan E. Abernethy
Attorneys for Galindo Defendants

12 Dated: March 13, 2018

MURPHY AUSTIN ADAMS SHOENFELD, LLP

14 By: s/ Lisa D. Nicolls
15 Lisa D. Nicolls
16 Attorneys for Peterson Defendant

PROPOSED ORDER AS MODIFIED

PURSUANT TO STIPULATION, IT IS SO ORDERED, the Case Management Conference
is continued to May 1, 2018, at 1:30 p.m., with the joint case management conference statement due by
April 24, 2018.

Dated: 3/14/18


Hon. Kandis A. Westmore